

LABEL, IN PART: (Display carton) "Fast Relief for 'Sore Throat' Aspergum Aspirin In pleasantly-flavored Chewing Gum"; (box) "16 Tablets Aspergum Active Ingredient: Aspirin."

NATURE OF CHARGE: Misbranding, Section 502 (a), the statement "Fast Relief For 'Sore Throat'" borne on the display carton was false and misleading since it represented and suggested that the article was an adequate and effective treatment for sore throat, whereas it was not an adequate and effective treatment for that condition.

DISPOSITION: January 12, 1953. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution for its use and not for sale.

4036. Misbranding of honey. U. S. v. 11 Cases, etc. (F. D. C. No. 33953. Sample Nos. 33824-L to 33827-L, incl.)

LABEL FILED: October 24, 1952, Western District of Michigan.

ALLEGED SHIPMENT: On or about April 29, July 3, and September 11, 1952, by the Sun Fed Honey Co., from Sarasota, Fla.

PRODUCT: 11 cases, each containing 24 1-pound jars, and 3 cases, each containing 6 5-pound jars, of *honey* at Grand Rapids, Mich., together with a number of leaflets entitled "Honey Facts."

LABEL, IN PART: (Jar) "Sun Fed * * * Honey * * * Packed By Shangri-La Grove, Bee Ridge, Florida."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the labeling of the article, namely, in the above-mentioned leaflet which accompanied the article, were false and misleading. The statements represented and suggested that honey supplies minerals, by means of which it acts as a "buffer between the acids of the body"; that it is health-giving, exerts a restorative action in elderly people, constitutes a protective food, and helps prevent acidosis; that, with milk, it effects longevity, enables weak and sickly children to recuperate and gain health, and builds up anemic and undernourished children, enabling them to attain higher mental ratings; that it is effective in heart affections, diabetes, insomnia, jaundice, chronic dysentery, swellings caused by heart and kidney ailments, and other diseases, osteomyelitis of large bones, gastric and intestinal ulcers, and bed wetting; that it will raise the calcium level and lower the phosphorus level of the blood; that it will sustain life and health indefinitely; that it prevents acidosis, rickets, scurvy, and other "decomposition" diseases; that it will kill germs of tuberculosis; that it is a healer for the membrane of the mouth, throat, and stomach; and that it is an antiseptic. The article did not supply a significant portion of minerals; it was not effective in the treatment of the diseases and conditions stated and implied; and it would not fulfill the promises of benefit made for it.

DISPOSITION: December 10, 1952. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution for its use and not for sale and that the leaflets be destroyed.

4037. Misbranding of Silver-King Airborne Bacteria Control Unit. U. S. v. 2 Cartons, etc. (F. D. C. No. 33584. Sample No. 53143-L.)

LABEL FILED: On or about September 17, 1952, Western District of Missouri.

ALLEGED SHIPMENT: On or about November 7, 1951, by Thompson & Sons, Inc., from Lyons, Ill.

PRODUCT: 2 cartons, each containing 1 device labeled, in part, "Silver-King Airborne Bacteria Control Unit" and 1 3-ounce bottle of a drug labeled, in part, "Silver-King Triethylene Glycol Air Purification Grade" at Springfield, Mo., together with a number of accompanying booklets entitled "Silver-King Health Unit" and "Silver-King a complete combination of the uses for the health and beauty of the modern home."

The device consisted of a rectangular metal box so arranged that when triethylene glycol liquid was added, the box plugged into the house electric line, and a source of moving air provided (such as from the exhaust pipe of a Silver-King vacuum cleaner), warm triethylene glycol vapor was blown out into the room.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the accompanying booklets were false and misleading. The statements represented and suggested that the device and the drug would provide an adequate and effective treatment for preventing colds, serious infections of the ears, nose, throat, and lungs, respiratory disease, tuberculosis, influenza, airborne disease, streptococcus infections, pneumonia, diseases of the nose, throat, and lungs, sore throat, bronchitis, sinusitis, middle ear disease, mastoiditis, la grippe, tonsillitis, rheumatic fever, abscessed ears, infections of wounds, childbirth infection, mumps, diphtheria, German measles, contagious diseases, bone infection, scarlet fever, erysipelas, and meningitis. The device and the drug would not provide an adequate and effective treatment for such diseases and conditions.

DISPOSITION: November 1952. No claimant having appeared and the court having found that the device and the drug were misbranded as alleged in the libel, judgment was entered ordering that the device and the drug be delivered to the Federal Security Agency.

4038. Misbranding of Germaster device. U. S. v. 49 Devices, etc. (F. D. C. No. 33305. Sample No. 33727-L.)

LIBEL FILED: June 20, 1952, Northern District of Illinois.

ALLEGED SHIPMENT: On or about June 9, 1951, by Lee Products Co., Inc., from Cleveland, Ohio.

PRODUCT: 49 *Germaster devices* and various accessories for use with the devices, including small, graduated cups with pouring lip, filters in a cellophane bag, directions for the mechanical operation of the device, and 4-ounce bottles of a colorless liquid, at Chicago, Ill., together with a sales manual entitled "Germaster The New Way to Say 'Germ Destruction with Glycol'."

The device consisted of a hollow plastic chamber containing a pad saturated with a solution composed of 50 percent triethylene glycol, 1 percent dimethylbenzyl ammonium chloride, and 49 percent water. A stubby, hollow cylinder projecting from the cover was provided for the entry of air, and long slots were in the body for the exit of the air. The device containing the saturated pad was to be attached to the exhaust end of a tanktype vacuum cleaner and air blown over the saturated pad and out into the room.

NATURE OF CHARGE: Misbranding, Section 502 (a), the name of the device and certain statements on the labels and in the above-mentioned sales manual ac-